

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

VINCENT WILLIAMS,

Petitioner,

-against-

CHRISTOPHER ARTUZ, Superintendent,

Respondent.

X

: 00-cv-1761 (ARR)

: NOT FOR ELECTRONIC
OR PRINT PUBLICATION

: OPINION AND ORDER

X

ROSS, United States District Judge:

On May 30, 2013, Petitioner filed a motion for reconsideration, Dkt. #23, of this court's September 7, 2000 order, Dkt. # 11, denying his petition for a writ of habeas corpus under 28 U.S.C. § 2254. Invoking Federal Rule of Civil Procedure 60(b)(2) and (3), Petitioner asserts that his motion is based on "newly discovered evidence" and "fraud, misrepresentation, or other misconduct by the respondent." Dkt. #23, at 1; see Fed. R. Civ. P. 60(b)(2), (3).

"Rule 60(b) specifically provides that a motion for relief from judgment may be made for reasons (1), (2), and (3) not more than one year after the judgment . . . was entered. This limitations period is absolute . . ." Warren v. Garvin, 219 F.3d 111, 114 (2d Cir. 2000) (internal citation and quotation marks omitted) (first alteration in original). Petitioner's motion for reconsideration was filed more than a decade after judgment was entered in his case on September 18, 2000, Dkt. # 12.

Plaintiff's motion for reconsideration is therefore denied as untimely.

SO ORDERED.

s/ ARR

Allyne R. Ross
United States District Judge

Dated: June 3, 2013
Brooklyn, New York